

ARC-14661-2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bishun N. Khare and Meyya Meyyappan

Filed: April 5, 2004

Group No.: 1762

Serial No.: 10/828,524

Examiner: David P. Turocy

For: "Functionalization Of Carbon Nanotubes"

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NOV 29 2006Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (571) 273-8300PETITION FOR ACCEPTANCE OF UNINTENTIONALLY DELAYED CLAIM  
FOR THE BENEFIT OF PRIOR FILED NONPROVISIONAL APPLICATION  
[37 CFR 1.78(a)(3)]

The time period for claiming the benefit of a prior filed nonprovisional application to the above-identified continuation-in-part application has lapsed. The time period for claiming the priority benefit is within the latter of four months from the actual filing date of the later-filed application or sixteen months from the filing date of the prior-filed nonprovisional application.

Prior Filed Nonprovisional Application No. 10/320,698

Filing Date December 13, 2002

APPLICANT HEREBY PETITIONS FOR ACCEPTANCE OF A CLAIM FOR BENEFIT OF A  
PRIOR FILED NONPROVISIONAL APPLICATION TO THIS CONTINUATION-IN-PART  
APPLICATION

A grantable petition requires the following items:

- (1) Petition Fee
- (2) Reference required by 37 CFR 1.78(a)(5)
- (3) Statement that the entire delay was unintentional.

## 1. Petition fee and payment

- ☒ Other than small entity – fee \$1370.00 (37 CFR 1.17(t))
- ☒ Please charge \$1370.00 to Deposit Account No. 14-0116. A duplicate of this paper is attached.
- ☒ Please charge any additional fees necessary to effect this petition and/or deposit any overpayment to Deposit Account No. 14-0116.

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## 2. Reference required by 37 CFR 1.78(a)(5)

☒ The following reference is submitted in an amendment along with this petition:

This application is a continuation-in-part of prior Application No. 10/320,698,  
filed December 13, 2002.

## 3. STATEMENT: The entire delay in claiming priority to the nonprovisional application from the filing date of the continuation-in-part application to the filing of a grantable petition under 37 CFR 1.78(a)(6) was unintentional.

John F. Schipper  
Signature

29 November 2006  
Date

John F. Schipper  
Typed or printed name

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